

**REMARKS**

Claims 1-5 are pending, of which claim 4 has been withdrawn. Accordingly, claims 1-3 and 5 have been examined in the current Office Action, and have been rejected under 35 U.S.C. § 103(a).

By this Amendment, Applicant has incorporated the features of claim 3 into claim 1 and has canceled claim 3 without prejudice or disclaimer.

**I. Preliminary Matters**

Applicant thanks the Examiner for approving the drawings submitted with the Amendment of May 2, 2005.

**II. Rejections under 35 U.S.C. § 103(a) in view of the APA and U.S. Patent No. 4,881,696 to Mizutani et al. ("Mizutani")**

The Examiner has rejected claims 1 and 5 under 35 U.S.C. § 103(a) as allegedly being unpatentable over the APA in view of Mizutani.

**A. Claim 1**

Claim 1 recites a tension absorbing unit disposed inside a holding portion for holding the leader pin.

In Mizutani, there is no holding pin, and hence, no holding portion for providing a tension absorbing unit, as recited in claim 1. Further, Mizutani discloses that the tape loose preventing member 31 (i.e., alleged tension absorbing unit) is always placed near a tape guide 9 to prevent the tape from becoming loose in the cartridge case (col. 1, lines 10-13; col. 5, lines 7-9

and 57-59; col. 6, lines 12-16). Since the APA fails to disclose a tape guide, such as tape guide 9 of Mizutani, there is no motivation to provide the tape loose preventing member 31 of Mizutani into the APA, let alone to provide the member 31 in the APA in the position as claimed (see pg. 6 of the May 2, 2005 Amendment).

In response to the above argument, the Examiner refers the Applicant to the rollers 8 of Fig. 6 of the APA. However, rollers 8 are provided in the recording and reproducing apparatus 1 (Fig. 6). The rollers 8 are not provided in the magnetic tape cartridge 10, or more specifically, they are not provided in a holding portion for holding a leader pin of the magnetic tape cartridge 10, as required by claim 1. As set forth by the Examiner on page 4 of the Office Action, one must determine what the combined teachings of the references would have suggested to those skilled in the art. Thus, the combined teachings of Mizutani and the APA would suggest to one skilled in the art to place the member 31 near a tape guide of a recording and reproducing apparatus, such as apparatus 1 of the APA, and such combination fails to disclose the claimed invention.

Accordingly, since Mizutani requires the member 31 to be placed near a tape guide, and there is no corresponding tape guide provided in a leader pin holding portion of the magnetic tape cartridge 10 of the APA, Applicant submits that even if combined, the references fail to teach or suggest the features of claim 1.

In addition, claim 1 recites a tension absorbing unit that includes a U-shaped lever and a coil spring wound around one arm portion of the U-shaped lever. One end of the coil spring is

fixed to the cartridge case, and the other end of the coil spring fixed to the U-shaped lever.

Further, a roller is mounted on a second arm portion of the U-shaped lever.

The above features were previously recited in claim 3. The Examiner maintains that Badeau discloses the above features. Badeau discloses the tension arm 29 positioned before a roll to take up web slack. However, Badeau fails to disclose the relation between a coil spring and a u-shaped lever in the manner recited in claim 1.

In addition, as set forth in the May 2, 2005 Amendment, Applicant submits that Badeau is non-analogous art. However, even by assuming *arguendo* that Badeau is analogous art, Applicant submits that Badeau still fails to cure the deficient teachings of the references. For example, tension arm 29 of Badeau is actually attached to roller 30 (Fig. 4). The roller 30 is used to guide the web W, and hence, acts as a guide roller. Accordingly, based on the combined teachings of the references, one skilled in the art would be motivated to provide the tension arm 29 near rollers 8 of the APA or the tape guide 9 of Mizutani, which would still fail to teach or suggest the position of claim 1.

In view of the above, Applicant respectfully requests the Examiner to reconsider and withdraw the rejection of claim 1.

#### **B. Claim 5**

Applicant submits that claim 5 is patentable for similar reasons as set forth above for claim 1, and at least by virtue of its dependency upon claim 1.

Amendment under 37 C.F.R. § 1.116  
U.S. Application No. 10/657,185

**III. Rejections under 35 U.S.C. § 103(a) in view of the APA, Mizutani and U.S. Patent No. 3,064,913 to Badeau (“Badeau”)**

The Examiner has rejected claims 2 and 3 under 35 U.S.C. § 103(a) as allegedly being unpatentable over the APA, Mizutani and Badeau.

**A. Claim 2**

Since claim 2 is dependent upon claim 1, and Badeau fails to cure the deficient teachings of the APA and Mizutani, in regard to claim 1, Applicant submits that claim 2 is patentable at least by virtue of its dependency.

**B. Claim 3**

Since claim 3 has been canceled, without prejudice or disclaimer, and has been incorporated into claim 1, Applicant refers to the Examiner to Applicant’s comments presented above.

**IV. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

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